

SENATE BILL No. 57

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Property tax deductions. Allows a taxpayer to claim certain additional property tax deductions for taxes payable in 2005 if the taxpayer would have been eligible for the deductions for taxes payable in 2003 if current eligibility requirements had been applicable to that year.

Effective: Upon passage.

Simpson

November 21, 2003, read first time and referred to Committee on Finance.

C
o
p
y



Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 57

A BILL FOR AN ACT concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **This SECTION**
2 **applies to an assessed value deduction under any of the following:**

3 (1) **IC 6-1.1-12-9.**

4 (2) **IC 6-1.1-12-14.**

5 (3) **IC 6-1.1-12-17.4.**

6 (b) **This SECTION applies to a taxpayer who, with respect to a**
7 **particular property:**

8 (1) **did not receive a deduction under a statute listed in**
9 **subsection (a) for property taxes first due and payable in**
10 **2003;**

11 (2) **did not meet the eligibility criteria for the deduction for**
12 **property taxes first due and payable in 2003;**

13 (3) **would have met the eligibility criteria for the deduction for**
14 **property taxes first due and payable in 2003 if the**
15 **amendments made by P.L.272-2003 to the statutes listed in**
16 **subsection (a) had applied to property taxes first due and**
17 **payable in 2003; and**

18 (4) **has filed for and is eligible for the deduction for property**



C
o
p
y

taxes first due and payable in 2005.

(c) A taxpayer who meets the conditions of subsection (b) is eligible for an additional deduction under this SECTION in an amount determined under subsection (e). The department of local government finance shall prescribe forms or issue instructions for the use of existing forms for filing a claim for an additional deduction under this SECTION.

(d) The taxpayer must file a claim for an additional deduction under this SECTION with the county auditor during the period that a statement claiming a deduction for property taxes payable in 2005 must be filed under IC 6-1.1-12-10.1.

(e) The county auditor shall determine the taxpayer's eligibility for an additional deduction under this SECTION. If the county auditor determines that a taxpayer meets the conditions of subsection (b) and is eligible for an additional deduction under this SECTION with respect to a particular property, the county auditor shall:

(1) determine the amount by which the individual's property taxes payable in 2003 with respect to a property would have been reduced if the deduction listed in subsection (a) had been applied for that year; and

(2) except as provided in subsection (f), apply the amount determined under subdivision (1) as a credit against the taxpayer's property taxes payable in 2005 with respect to the property.

(f) A taxpayer is entitled to a refund in the amount by which the amount determined under subsection (e)(1) exceeds the taxpayer's property taxes payable in 2005 with respect to the property, determined before the application of the credit under subsection (e)(2). Before June 1, 2005, the county auditor shall, without:

(1) a refund claim from the taxpayer; or

(2) an appropriation;

being required, issue a warrant to the taxpayer payable from the county general fund for the amount due to the taxpayer under this subsection.

(g) This SECTION expires January 1, 2006.

SECTION 2. An emergency is declared for this act.

C
o
p
y

